

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TOWN OF GREENBURGH,

Plaintiff,

vs.

SPECTRASERV, INC., and LIBERTY MUTUAL
INSURANCE COMPANY,

Defendants.

Civil Action No. 07-CV-6966 (WCC)

RULE 26 DISCLOSURES

Defendants Spectraserv, Inc. ("Spectraserv") and Liberty Mutual Insurance Company ("Liberty"), by their attorneys, Wolff & Samson PC, as and for their initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1), state as follows:

A. The name and, if know, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

Steve Kulcsar
Vice President
Spectraserv, Inc.
75 Jacobus Ave.
South Kearny, NJ 07032
(973) 589-0277

Steven Wells
Construction Division Manager
Spectraserv, Inc.
75 Jacobus Ave.
South Kearny, NJ 07032
(973) 589-0277

Laurence Looker
Construction Supt.
Spectraserv, Inc.
75 Jacobus Ave.

South Kearny, NJ 07032
(973) 589-0277

William Wells
Construction Foreman
Spectraserv, Inc.
75 Jacobus Ave.
South Kearny, NJ 07032
(973) 589-0277

Jose Luis Barreiros
Construction Foreman
Spectraserv, Inc.
75 Jacobus Ave.
South Kearny, NJ 07032
(973) 589-0277

Alfred Yervasi
10 Sierra Court
Sayreville, NJ 08872
(732) 432-7320

Kenneth Kakos
Dolph Rotfeld Engineering, PC
200 White Plains Road
Tarrytown, NY 10591
(914) 631-8600

Douglas J. Wills, Esq.
Senior Surety Counsel
Liberty Mutual Insurance Company
450 Plymouth Road, Suite 400
Plymouth Meeting, PA 19462-1644
(610) 832-4584

B. Documents in the possession, custody or control of Defendants which may be used to support their claims and defenses (by category):

1. Correspondence to Town of Greenburgh
2. Correspondence from Town of Greenburgh
3. Correspondence to and from Dolph Rotfeld Engineering
4. Submittals (submitted and returned)
5. Payment Applications
6. Meeting Minutes
7. Change Order Documentation
8. Vendor/Subcontractor/Supplier Files
9. Payroll Information
10. O&M Manuals
11. Record Drawings

C. Computation of Damages Claimed:

Defendant Spectraserv's counterclaim sets forth the basis for its claim in the amount of \$173,100.51, plus interest. Its computation is set forth at length in Spectraserv's Payment Application No. 12, dated August 31, 2005. Said sum represents retainage wrongfully withheld from Defendant Spectraserv by the Plaintiff.

D. Insurance Agreements:

None known at this time.

Defendants reserve their right to amend the foregoing disclosures in the event that additional information and/or documents come to light or are obtained during discovery in this litigation.

Dated: New York, New York
December 12, 2007

WOLFF & SAMSON, PC

Attorneys for Defendants Spectraserv, Inc. and
Liberty Mutual Insurance Company

By: /s/ Darryl Weissman
DARRYL WEISSMAN (DW-7369)

Wolff & Samson PC
The Offices at Crystal Lake
One Boland Drive
West Orange, New Jersey 07052
973-325-1500

Dated: December 12, 2007

TO: Ira M. Schulman, Esq.
Mazur, Carp & Rubin, P.C.
Attorneys for Plaintiff
1250 Broadway, 38th Floor
New York, NY 10001
Ph: 212-686-7700

CERTIFICATION OF SERVICE

Darryl Weissman, a resident of the United States, certifies as follows:

On December 12, I caused a copy of the within Rule 26 Disclosures to be served via electronic filing with the Clerk of the Court using the Court's CM/ECF System upon:

Ira M. Schulman, Esq.
Mazur, Carp & Rubin, P.C.
Attorneys for Plaintiff
1250 Broadway, 38th Floor
New York, NY 10001
Ph: 212-686-7700

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that the foregoing is true and correct. Executed on December 12, 2007.

/s/ Darryl Weissman
DARRYL WEISSMAN